

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE, WSBA No. 32245
Associate General Counsel
Office of Program Litigation, Office 7
Social Security Administration
MARCELO ILLARMO (MABN 670079)
Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235
Telephone: (510) 970-4822
E-Mail: Marcelo.Illarmo@ssa.gov
Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES B. MCCLURE, III,)	Case No.: 1:22-cv-01320-EPG
)	
Plaintiff,)	ORDER RE: STIPULATION FOR
)	VOLUNTARY REMAND PURSUANT TO
v.)	SENTENCE FOUR OF 42 U.S.C. § 405(g)
KILOLO KIJAKAZI,)	(ECF No. 15).
Acting Commissioner of Social Security)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Commissioner will offer Plaintiff the opportunity for a new hearing; develop the record as necessary; consider all pertinent issues *de novo*, including, but not limited to, reconsidering the subjective symptoms allegations; and issue a new decision. The parties

1 further request that the Clerk of the Court be directed to enter a final judgment in favor of
2 Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

3 Respectfully submitted,
4

5 DATE: April 20, 2023

/s/ Melissa Newel *
MELISSA NEWEL
Attorney for Plaintiff
(* approved via email on 4/14/23)

8 PHILLIP A. TALBERT
9 United States Attorney

10 DATE: April 20, 2023

By s/ Marcelo Illarmo
MARCELO ILLARMO
Special Assistant United States Attorney
12 Attorneys for Defendant
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ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment (ECF No. 15), IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge for a new decision in accordance with the parties' Stipulation. The Clerk of the Court is directed to enter judgment for Plaintiff and against Defendant.

IT IS SO ORDERED.

Dated: April 21, 2023

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE